In the High Court of Punjab and Haryana at Chandigarh

C.W.P. No. 6403 of 2007

Date of Decision: 01.05.2007

Hari Singh …Petitioner

Versus

State of Punjab & others …Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Pankaj Sharma, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

The challenge in this petition is to the order dated 5.12.2006 (P-5), passed by the respondent Indian Red Cross Society. The petitioner has earlier approached this Court by filing C.W.P. No. 19830 of 2006, impugning the aforementioned order, which was decided on 14.12.2006 (P-6). A Division Bench of this Court had issued directions to decide the representation made by the petitioner. Accordingly, the respondent Indian Red Cross Society has passed order dated 25.4.2007 (P-8) by observing that the petitioner is attached to Drug De-addiction and Rehabilitation Centre, Gurdaspur, for the time being only in the public interest. It has been opined that the order dated 5.12.2006 is not liable to be cancelled or withdrawn. Accordingly, the representation was rejected.

After hearing the learned counsel, we are of the considered view that the right of the employer to depute its employee for temporary discharge of duties, especially at a Drug De-addiction and Rehabilitation Centre, cannot be questioned. Moreover, it is only for temporary period. There is no statutory rule or law cited to substantiate that the petitioner could not be transferred to the aforementioned place. There is no merit in the petition.

Dismissed.

(M.M. KUMAR)
JUDGE

(RAJESH BINDAL)
JUDGE

May 1, 2007
Pkapoor